

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICHARD WAYNE RICKETTS,

Petitioner,

No. CIV S-11-0261 EFB P

vs.

RICHARD B. IVES,

Respondent.

ORDER

Petitioner, a federal prisoner, seeks a writ of habeas corpus. *See* 28 U.S.C. § 2241. He has paid the \$5.00 filing fee.

Petitioner claims that procedures used by the trial court violated his constitutional rights and caused petitioner to be sentenced to a longer prison term. However, petitioner has commenced this action in the wrong district.

Petitioner was convicted in the United States District Court for the Northern District of Georgia, but is confined in Herlong, California. Although this court and the United States District Court in the district where petitioner was convicted both have jurisdiction, *see Braden v. 30th Judicial Circuit Court*, 410 U.S. 484, 499-500 (1973), witnesses and evidence necessary for the resolution of petitioner's application are more readily available in the county of conviction, *Id.* at 499 n.15; 28 U.S.C. § 2241(d).

1 Therefore, the court transfers this action to the United States District Court for the
2 Northern District of Georgia. 28 U.S.C. §§ 90(a); 1404(a).

3 Accordingly, it is ORDERED that this action is transferred to the United States District
4 Court for the Northern District of Georgia.

5 Dated: February 3, 2011.

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7 EDMUND F. BRENNAN
8 UNITED STATES MAGISTRATE JUDGE
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